

THE Irish Forfeitures now lying before a Committee of the Honourable the House of Commons, It is now (or never to be) the Time of offering an Expedient whereupon to answer the Ends of the Publick; and in some measure, after their long Wants and Sufferings to provide for, or at the least to distinguish Those, whose Estates are forfeited.

To this End some, who are exempted by being included within Articles, and thereupon restored to their Estates, having taken into Consideration the unhappy Condition of *These* their Fellow Subjects, who upon a mistaken Principle were, together with them, misled into a Breach of their Duty; and being willing, as far as they are able, to incumber themselves, in order to keep up the publick Stock, to what may be hoped for, upon an absolute Sale of all forfeited Estates, and thereupon to induce His Majesty and this present Parliament, to Grant a General Act of Indemnity, whereby all the now forfeiting Persons to be required to take the Oath of Fidelity; and if thought necessary, to give Security for their good Behaviour during Life, with such Exceptions to the Persons of those now in the French Army, or who have otherwise rendered themselves obnoxious, as shall be thought necessary, and their Estates to go respectively to such Persons as should be Intitled thereto, if they were actually dead: And with an absolute Exclusion of all Persons concern'd in the late most detestable Assassination, if any such there be amongst them; Upon the Prospect of a general Act of Indemnity, upon these or such other Terms as shall be thought becoming the Honour & Clemency of an English King and Parliament, the following Proposal is with all Submission offer'd to Consideration, viz.

That all his Majesties Catholick Subjects of *Ireland*, whether such, as in Virtue of Articles, or by his Majesties Favour, having Revers'd their Outlawrys, are restored to their Estates; and all such, as by being Infants, or out of the Country during the War, or who upon any other Motive whatsoever escaped Prosecution, and are in possession of their Estates, shall in *Years Time* pay one Years clear Incom of their Estates, of what Kind soever within that Kingdom, as Lett or Disposed of in the Year 1688, or at this Time, or on any other Year to be pitch'd upon.

That every Person whose Estate is now become forfeited for Life only, whether duely or unduely attainted, shall in *Years Time* pay Two years of the like clear yearly Incom of his Estate of what kind soever.

That every Person whose Estate is now become forfeited for ever, whether duely or unduely attainted, shall in *years Time* pay Four years of the like clear yearly Incom of his Estate of what kind soever.

The Proposers, for fear of giving Offence, if they should act over openly in a matter of this kind, being not at Liberty to take such Advice as might be necessary, upon handing in an Overture of this Consequence, can not pretend to foresee all the Objections that may be made to it: But do Imagin *One* may be.

That it may be doubtful, whether the Fond to be raised upon this Overture, shall be equivalent to what may be raised upon absolute Sale of all the forfeited Estates: And it may perhaps be an other Objection;

That the thus acquitting and restoring such Persons may be of future bad Example, and a means again to imbroil the Publick, &c.

As to the first Objection; The Proposers having neither publick Offices here, nor Records to resort to, nor time allowed, at this distance, from such Offices, to enter upon such a Search; it is to be presumed they can not, by a clear Demonstration, make out, that the Fond to be raised upon this Proposal, shall amount to more than what can be raised by an absolute Sale of all the forfeited Estates: But they have Reason to conclude, that on due Consideration of what is laid by the Irish Commissioners before the Parliament; It will appear, that this Proposal may at the least amount to an Equivalent: For,

In the first place, as the Proposers are Informed, the said Commissioners have Return'd the yearly Value of all Estates restored by Articles: And if so, and that it be further consider'd, that there are a great many Catholicks, who either, as meer Infants, or Merchants abroad, or otherwise notoriously known as Non-Offenders, who have escaped all Prosecution: and of whose Estates the Commissioners have taken no Cognizance: If I say, the Estates of the Articled Men, as return'd by the Commissioners, be summ'd up, and the Estates of these Persons, upon a moderate Computation added to it; It will appear, how considerable the Offer now made of increasing the publick Fond is.

In the second place, as the Commissioners have return'd the yearly Value of the now *Forfeited* Estates, they have likewise undoubtedly return'd, that, if not all, much the greater part of these Estates are under heavy legal Incumb'rances, which will go along with them into a Purchasors Hands; and in proportion, lessen the Sum to be paid to the publick.

That several of the Wives of the persons Attainted, if they outlive their Husbands, are Intitled to Joyntures, to which a Purchasor must have regard, and which consequently will have the like Effect of less'ning the Purchase Money.

That in some Cases where by Rigor of Law, the Wives and Children are, for the Husbands Life, or for ever excluded, yet their Condition is too moving and deplorable to be intirely Rejected.

That in some other Cases of many of the kind, it appearing to His Majesty, that the Persons were Attainted upon an over-rigid Construction, or violent Prosecution. He has been graciously pleas'd to extend his Mercy to them, and order the Reversal of their Outlawrys, and that in all Acts of Resumption, as sufficiently set forth by a late Author, special Provision hath been made for such.

If upon these and the like Heads, the Matter be fully weigh'd, it will appear how much short of the Intrinsick Value, the now forfeited Estates will fall in the publick Stock: And if in like manner it be considered, that upon the Foot of the now Proposal, every Estate is to pay so much without any regard to Incumb'rances of any kind whatsoever; It will certainly be as evident, as such a thing can be, that the Fond to arise from this Proposal, can not be less, if it do not exceed what the *Forfeited* Estates alone shall amount to; and if, as to the *Quantum*, this Proposal shall appear equal, it must on the account of Dispatch, and for avoiding of Trouble appear manifestly preferable: For,

If the *Forfeited* Estates are to be absolutely disposed of, it will take up a great deal of time to settle the Incumb'rances; and when that is done, it will be difficult, where there is a possibility of Jointure, or distant Remainder depending, to make an inviting Rule to a Purchasor without great loss to the Publick; and if there be any distinction to be made in favour of *Femms Convert*, Children, or other Persons notoriously Innocent, that will still perplex and delay the Execution of the Matter; whereas, in the Case now offer'd to Consideration, there is nothing more to be done, but to discover the Yearly Value of the Estates; and even as to that, and to bring the matter immediately to hear, the Owners, or such as are to be made so, may be required to give in a just Valluation under the penalty of an high Forfeiture, where they shall within *years* be found to have under rated it: And if such Encouragement as shall be thought convenient, be given for prompt Payment, and the Estates to be charged therewith after default of Payment made, this will either put the Persons concern'd upon ways of raising what they are to pay, or encourage other Adventur... to advance the Mony.

As to the Second Objection, that the thus acquitting and restoring such Persons may be of future bad Example, and a means again to imbroil the Publick, &c.

The Proposers, for fear of being misunderstood, cannot think fit for them to say much upon this Head; they therefore crave leave only to observe; That as to those, who now are, or lately have been in the Army in *France*, they are but a few in number, and of them not Ten Estated Men; and that, by this Proposal, it is altogether submitted to publick Consideration, how far they and all other obnoxious Persons ought to be during their Lives excluded: And that, as to the rest of the forfeiting Persons, who are yet Living, they now are, and they and their Posterity must for ever continue in their Native Country; for in what manner soever they are or may be Treated, they have no other place to fly to; such of their Country Men as thro' fear of an Uneasiness at home, unhappily chose to take their Fortune in a Foreign Service, have not been so Treated as to leave *These* any hope of Refuge abroad: And when they are thus receiv'd into Mercy, and upon any Terms restored to a Condition of Living, as it will ever be their Duty, so it will certainly be more their Interest to live within the Bounds of Fidelity and Obedience, than if they and their Posterity be thrown into a State of for ever being meer *Hewers of Wood, and Drawers of Water*.

As to the other part of the Objection, that this may be of future bad Example, &c.

This is an Objection sometimes made up more of Shew, than of Substance: And in this Case, if Ten years wandering without House or Home, and the Offenders, in addition to what Debts they may have contracted to support their Families in their so long Wants, being now to bear the Load of Four years Purchase, be not sufficient to instruct them and their Posterity in their Duty, and to Deter them from entering into the like evil Designs. It may be fairly enough concluded, that nothing less than Cutting off Root and Branch shall restrain them.

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PROPOSAL in Relation to
the *Irish Forfeitures*, Humbly
offer'd to the Consideration of
the Honourable the HOUSE
of COMMONS.

By J. S. - *Pat. - H. C. [Pat. 1785]*